

# HOUSE . . . . . No. 1917

By Mr. Toomey of Cambridge, petition of Timothy J. Toomey, Jr., and others for legislation to establish the department of police services within the Executive Office of Public Safety to enhance municipal police co-operation. Public Safety and Homeland Security.

## The Commonwealth of Massachusetts

### PETITION OF:

Timothy J. Toomey, Jr.	David B. Sullivan
Jarrett T. Barrios	Thomas P. Kennedy
Richard T. Moore	Christopher J. Donelan
Bruce E. Tarr	

In the Year Two Thousand and Five.

### AN ACT ENHANCING MUNICIPAL POLICE COOPERATION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. There shall be within the executive office of  
2 public safety a department of police services under the supervi-  
3 sion and control of a municipal police commissioner.

1 SECTION 2. The municipal police commissioner shall be the  
2 executive and administrative head of the department. The com-  
3 missioner shall coordinate the efforts of municipal police depart-  
4 ments and shall act as the liaison between the secretary of public  
5 safety and local police chiefs and departments on matters of  
6 mutual interest. There shall be within the department, a division  
7 of training, including the Massachusetts criminal justice training  
8 council, established by section one hundred and sixteen of chapter  
9 six, the Massachusetts police accreditation commission, and a  
10 division of public safety under the charge of a director to be  
11 known as the commissioner of public safety as established by  
12 chapter 22.

1 SECTION 3. The municipal police commissioner, or his suc-  
2 cessor, shall be appointed by the Massachusetts municipal police  
3 commission, established in section one hundred and sixteen of  
4 chapter six, and shall serve at the pleasure of said commission.  
5 The position of municipal police commissioner shall be classified  
6 in accordance with section forty-six C of said chapter thirty and  
7 the municipal police commissioner shall devote his full time  
8 during business hours to the duties of his office. For retirement  
9 purposes, a person appointed commissioner who was previously a  
10 member of group IV shall be placed in that group.

1 SECTION 4. There is hereby established in the executive office  
2 of public safety the Massachusetts municipal police commission,  
3 hereinafter called the commission, to consist of the secretary of  
4 public safety, ex officio, the executive Director of the Massachu-  
5 setts Chiefs of Police Association, ex officio, and six members to  
6 be appointed by the governor, five of whom shall be police chiefs  
7 selected from a list of eight names submitted by the Massachusetts  
8 Chiefs of Police Association and one of whom shall be a police  
9 officer selected from a list of two names submitted by the Massa-  
10 chusetts Police Association.

11 The five police chiefs selected from the names submitted by the  
12 Police Chiefs Association shall represent the following:

13 (1) a city with over 100,000 inhabitants;

14 (2) a city or town with between 50,000 and 100,000 inhabi-  
15 tants; and

16 (3) three other cities or towns with a population under 50,000.

17 The chairman of said commission shall be elected by a majority  
18 of the members thereof and shall serve as chairman for a term of  
19 one year or until his successor is elected. Said chairman shall be  
20 elected annually at the January meeting.

21 Members of the commission shall be appointed for terms of  
22 three years with no limit on the number of terms they may serve.  
23 Members shall hold office until a successor is appointed and no  
24 member shall serve beyond the time he ceases to hold office or  
25 employment by reason of which he was eligible for appointment  
26 to the commission.

27 The commission shall meet monthly except that the chairman,  
28 with commission approval, may omit meetings in July and August

29 and the chairman, the governor, or the secretary of public safety  
30 may call additional meetings at other times, of which all members  
31 shall be given notice in writing at least five days prior to such  
32 meeting. Special meetings may be called by the chairman and  
33 shall be called by him at the request of the governor or upon the  
34 written request of four members of said commission. If any  
35 member is absent from three regularly scheduled meetings, exclu-  
36 sive of July and August, in any calendar year, his office as a  
37 member shall be deemed vacant. The chairman of the commission  
38 shall make an annual report to the governor and the secretary of  
39 public safety and shall include in it recommendations for appro-  
40 priate legislation.

41 The members of the commission shall serve without compensa-  
42 tion but shall be reimbursed for their official duties. No member  
43 of the commission shall serve as a member concurrently on the  
44 Massachusetts criminal justice training council established in  
45 section one hundred and sixteen.

46 The commission shall have responsibility for the following:

- 47 (1) the appointment of a municipal police commissioner;
- 48 (2) the promulgation of regulations and policies pertaining to  
49 the operation of municipal police commissioner;
- 50 (3) the promulgation of sample policies for municipal police in  
51 such areas as communications, special occurrences including but  
52 not limited to terrorism, the incident command system and combi-  
53 nation with the fire services and state police.
- 54 (4) reviewing the annual budget developed by the office of the  
55 municipal police commissioner;
- 56 (5) advising the office of the municipal police commissioner  
57 regarding the preparation of sample municipal police policies and  
58 procedures; and
- 59 (6) consulting with the Massachusetts criminal justice training  
60 council to develop standards for criminal justice training and cer-  
61 tification.
- 62 (7) Applying for and administering grants from the federal gov-  
63 ernment and other sources in the area of law enforcement.